

TO: Interested Parties / Applicant

RE: Engineered Polymer Solutions d/b/a Valspar Coatings / 097-224351-00040

FROM: Felicia A. Robinson *FR*
Manager of Environmental Planning

Notice of Decision: Approval - Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, have issued a decision regarding the enclosed matter. Pursuant to IC 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted according to IC 13-15-6-3, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3 and IC 13-15-6-1 require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within fifteen (15) calendar days of the receipt of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Indianapolis Office of Environmental Services, Air Permits at (317) 327-2234.

Enclosures



January 27, 2006

Mr. Brian Deters
Engineered Polymer Solutions, Inc. d/b/a Valspar Coatings
546 West Abbott Street
Indianapolis, IN 46205

CERTIFIED MAIL 7000 0600 0023 5187 6917

RE: Interim Minor Source Modification Approval
097-224351-00040

Dear Mr. Deters:

On December 22, 2005, the City of Indianapolis Office of Environmental Services (OES) and the Indiana Department of Environmental Management, Office of Air Quality (OAQ) received an interim minor source modification petition from Engineered Polymer Solutions, Inc. d/b/a Valspar Coatings, 546 West Abbott Street, Indianapolis, IN 46205. Based on the data and information submitted in the petition and the provisions of 326 IAC 2-13-1, this interim minor source modification petition is hereby approved for the following additions to the existing Coating Formulation and Packaging Line, identified as CF-1:

- (a) One (1) two head filling line for 5-gallon pails designed to allow the filling of a maximum of six hundred (600) 5-gallon pails per hour.
- (b) One (1) single head filling line for 5-gallon pails designed to allow the filling of a maximum of one hundred (100) 5-gallon pails per hour.
- (c) One (1) small can filling line for 1-gallon or less containers designed to have a maximum filling rate of five hundred (500) gallons per hour.

Detailed conditions will be specified in the final minor source modification, 097-22435-00040. This interim minor source modification expires on the effective date of the final minor source modification. This interim minor source modification may be revoked after its effective date upon a written finding by OES and OAQ that any of the reasons for denial in 326 IAC 2-13-1(h) exist or if the final minor source modification is denied. The facilities subject to this approval may not operate until the final minor permit modification is issued by OES and OAQ.

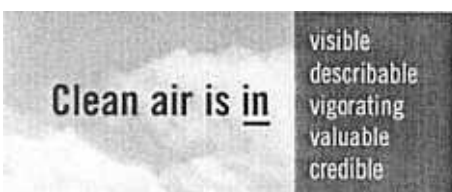
Sincerely,

Felicia A. Robinson
Manager of Environmental Planning

MBC

Enclosure: Interim Permit Evaluation (3 pages)

Cc: Marion County Health Department
IDEM, OAQ
Matt Mosier, OES-Compliance
files



Air Quality Hotline: 317-327-4AIR | knozone.com

Department of Public Works
Office of Environmental Services

2700 Belmont Avenue
Indianapolis, IN 46221

317-327-2234
Fax 327-2274
TDD 327-5186
indygov.org/dpw

**Indiana Department of Environmental Management
Office of Air Quality
And
City of Indianapolis
Office of Environmental Services**

Interim Minor Source Modification Evaluation

Company Name: Engineered Polymer Solutions, Inc. d/b/a Valspar Coatings	
Location: 546 West Abbott Street, Indianapolis, IN 46205	Permit No: 097-22435I-00040
Permit Reviewer: M. Caraher	Date Receipt of Application: 12/22/05 Date of review: 1/06/06
Description of the interim construction: Install 4 head filling lines to fill smaller (< 5 gallon) cans with paint products manufactured by the source, with no change in maximum paint production rate of 3 tons/hour or change in the existing HAP limited PTE of < 9 tons/yr for any single HAP and < 24 tons/yr combined HAP	
Date the Application was received + 19 days = 1/10/06	

Interim Petition Applicability: 326 IAC 2-13-1

- (a) Existing Source with valid permit;
- (b) Exemptions:
 - (1) construction of a PSD source or PSD modification;
 - (2) construction or modification in nonattainment area that would emit those pollutants for which the nonattainment designation is based.
 - (3) any modification subject to 326 IAC 2-4.1.
- (c) Approve or deny the interim minor permit revision or minor source modification in writing within 19 calendar days, or it becomes the enforceable interim minor permit revision or minor source modification. [326 IAC 2-13-1(d)]

Instructions: Check (☒) appropriate answers and make a recommendation.

- Did the applicant submit a written petition for an interim minor permit revision or minor source modification?
- ☒ Yes Go to question 2.
☐ No Ignore verbal request.
2. Did the applicant pay the \$500 interim permit fee?
- ☒ Yes Go to question 3.
☐ No Deny the application, pursuant to 326 IAC 2-13-1(c)(1).
3. Did the applicant state acceptance of federal enforceability of an interim minor permit revision or minor source modification?
- ☒ Yes Go to question 4.
☐ No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(D).
4. Did the applicant or its authorized agent sign the application?
- ☒ Yes Go to question 5.
☐ No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(E).
5. Did the applicant submit a notarized affidavit stating that the applicant will proceed at its own risk (if the interim minor permit revision or minor source modification is issued), including, but not limited to:

15. Will the modification, after application of all emission controls and/or throughput limitations comply with all applicable National Emission Standards for Hazardous Air Pollutants (NESHAP)?
☒ Yes Go to question 16.
☐ No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
16. Will the modification, after application of all emission controls and/or throughput limitations, comply with all applicable state rules?
☒ Yes Go to question 17.
☐ No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
17. Does the applicant dispute applicability of any applicable state or federal rule?
☐ Yes Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
☒ No Go to question 18.
18. Is there good reason to believe that the applicant does not intend to construct in accordance with the interim minor permit revision or minor source modification petition?
☐ Yes Deny the application, pursuant to 326 IAC 2-13-1(h)(1).
☒ No Go to question 19.
19. Is there a good reason to believe that information in the petition has been falsified?
☐ Yes Deny the application, pursuant to 326 IAC 2-13-1(h)(7).
☒ No Approve the interim minor permit revision or minor source modification petition.

Recommendation: Issue Interim Approval

Date the approval was drafted: 1/10/06

Method of informing the applicant: e-mail; written notification of decision

Comments: _____

Revised drp 2/22/02